

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

JOSHUA D. BRODSKY,

Plaintiff,

v.

WARDEN BACA, *et al.*,

Defendants.

CASE NO.: 3:14-CV-00641-RCJ-WGC

ORDER

Before the Court is the Report and Recommendation of U.S. Magistrate Judge (#224¹) entered on January 21, 2016, recommending that the Court grant Defendants' Motion for Summary Judgment (ECF #117) and dismiss this action without prejudice. It is further recommended that Plaintiff's Motion for Summary Judgment (ECF #163) be denied as moot. Plaintiff filed Objections Magistrate Judge Report and Recommendation (ECF #226) on January 27, 2016 and Emergency Sur-Reply to (ECF #226) with Newly Discovered Evidence (ECF #227) on February 4, 2016.

The Court has conducted its *de novo* review in this case, has fully considered the objections of the Plaintiff, the pleadings and memoranda of the parties and other relevant matters of record pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule IB 3-2. The Court determines that the Magistrate Judge's Report and Recommendation (#224) entered on January 21, 2016, should be ADOPTED AND ACCEPTED.

IT IS HEREBY ORDERED that Defendants' Motion for Summary Judgment (ECF #117) is GRANTED.

IT IS FURTHER ORDERED that Plaintiff's Motion for Summary Judgment (ECF #163) is DENIED as MOOT.

IT IS FURTHER ORDERED that this action is DISMISSED without PREJUDICE. The Clerk of the Court shall enter judgment accordingly and close this case.

IT IS SO ORDERED this 23rd day of February, 2016.


ROBERT C. JONES

¹Refers to court's docket number.